

KENTUCKY GAZETTE.

[NUMB. XL.]

SATURDAY, JUNE 18, 1796.

[VOL. IX.]

An act providing for the sale of the lands of the United States, in the territory north-west of the river Ohio, and above the mouth of Kentucky river.

§ 1. Be it enacted by the Senate and house of Representatives of the United States of America, in Congress assembled, That a Surveyor General shall be appointed, whose duty it shall be to engage a sufficient number of skilful surveyors, as his deputies, whom he shall cause, without delay, to survey and mark the unascertained outlines of the lands lying north-west of the river Ohio, and above the mouth of the river Kentucky, in which the titles of the Indian tribes have been extinguished, and to divide the same in the manner hereinafter directed; he shall have authority to frame regulations and instructions for the government of his deputies; to administer the necessary oaths, upon appointments; and to remove them for negligence or misconduct in office.

§ 2. Be it further enacted, that the part of the said lands, which has not been already conveyed by letters patent, or divided, in pursuance of an ordinance in Congress passed on the twentieth of May, one thousand seven hundred and eighty-five, or which has not been heretofore, and, during the present session of Congress, may not be appropriated for satisfying military land bounties, and for other purposes, shall be divided by north and south lines, run according to the true meridian, and by others crossing them at right angles, so as to form townships of six miles square, unless where the line of the late Indian purchase, or of tracts of land heretofore surveyed or patented, or the course of navigable rivers may render it impracticable; and then this rule shall be departed from, no further than such particular circumstances may require. The corners of the townships shall be marked with progressive numbers from the beginning; each distance of a mile between the land corners shall be also distinctly marked with marks different from those of the corners. One half of the said townships, taking them alternately, shall be subdivided into sections, containing as nearly as may be, six hundred and forty acres each, by running through the same, each way, parallel lines, at the end of every two miles; and by marking a corner, on each of the said lines, at the end of every mile, the section shall be numbered respectively, beginning with the number one, in the North-East corner, and proceeding West and East alternately, through the township, with progressive numbers, 'till the thirty sixth be completed. And it shall be the duty of the deputy surveyors, respectively, to cause to be marked, on a tree near each corner made, as aforesaid, and within the section, the number of such section, and over it, the number of the township, within which, such section may be, and the said deputies shall carefully note, in their respective field books, the names of the corner trees marked, and the numbers to make. The fractional parts of townships shall be divided into sections, in manner aforesaid, and the fractions of sections shall be annexed to, and sold with, the adjacent entire sections. All lines shall be plainly marked upon trees, and measured with chains containing two perches of sixteen feet and one half each, subdivided into twenty-five equal links, and the chain shall be adjusted to a standard to be kept for

that purpose. Every surveyor shall note in his field book, the true situations of all mines, salt licks, salt springs and mill seats, which shall come to his knowledge; all water courses, over which, the line he runs shall pass; and also the quality of the lands: these field books shall be returned to the surveyor general, who shall therefrom cause a description of the whole lands surveyed, to be made out and transmitted to the officers who may superintend the sales: he shall also cause a fair plat to be made of the townships, and fractional parts of townships, contained in the said lands, describing the sub-divisions thereof, and the marks of the corners. This plat shall be recorded in books to be kept for that purpose; a copy thereof shall be kept open at the surveyor general's office, for public information; and other copies sent to the places of sale, and to the secretary of the treasury.

§ 3. Be it further enacted, that a salt spring lying upon a creek which empties into the Scioto river, on the East side, together with as many contiguous sections as shall be equal to one township, and every other salt spring, which may be discovered, together with the section of one mile square which includes it, and also four sections at the center of every township, containing each one mile square, shall be reserved, for the future disposal of the United States; but there shall be no reservations, except for salt springs, in fractional townships, where the fraction is less than three fourths of a township.

§ 4. Be it further enacted, that whenever seven ranges of townships shall have been surveyed below the great Miami, or between the Scioto river and the Ohio company's purchase, or between the southern boundary of the Connecticut claims and the ranges already laid off, beginning upon the Ohio river and extending westwardly, and the plats thereof made and transmitted, in conformity to the provisions of this act, the said sections of six hundred and forty acres (excluding those hereby reserved) shall be offered for sale, at public vendue, under the direction of the governor, or secretary of the Western Territory, and the surveyor general; such of them as lie below the great Miami shall be sold at Cincinnati; those of them which lie between the Scioto and the Ohio company's purchase, at Pittsburgh; and those between the Connecticut claim and the seven ranges, at Pittsburgh. And the townships remaining undivided shall be offered for sale, in the same manner, at the seat of government of the United States, under the direction of the secretary of the treasury, in tracts of one quarter of a township, lying at the corners thereof, excluding the four central sections, and the other reservations before mentioned: provided always, that no part of the lands directed by this act to be offered for sale, shall be sold for less than two dollars per acre.

§ 5. Be it further enacted, that the secretary of the treasury, after receiving the aforesaid plats, shall forthwith give notice, in one newspaper in each of the United States, and the Territories North-west and South of the river Ohio, of the times of sale, which shall in no case, be less than two months from the date of the notice; and the sales at the different places shall not commence, within less than one month of each other; and when the governor of the Western Territory, or secretary of the treasury, shall find it necessary to ad-

journal, or suspend the sales under their direction, respectively, for more than three days, at any one time, notice shall be given, in the public newspapers, of such suspension, and at what time, the sales will re-commence.

§ 6. Be it further enacted, that immediately after the passing of this act, the secretary of the treasury shall in the manner herein before directed, advertise for sale, the lands remaining unsold in the 7 ranges of townships, which were surveyed, in pursuance to an ordinance of congress, passed May 20 1785 including the lands drawn for the army, by the late secretary of war, and also those heretofore sold but not paid for; the townships, which by the said ordinance, are directed to be sold entire, shall be offered for sale at public vendue in Philadelphia under the direction of the secretary of the treasury, in quarter townships, reserving the four center sections, according to the directions of this act. The townships, which by the said ordinance, are directed to be sold in sections, shall be offered for sale at public vendue, in Pittsburgh, under the direction of the governor or secretary of the Western Territory, and such person, as the president may specially appoint for that purpose, by sections of one mile square each, reserving the four center sections, as aforesaid; and all fractional townships shall also be sold in sections at Pittsburgh, in the manner and under the regulations provided by this act; for the sale of fractional townships: provided always, that nothing in this act shall authorize the sale of those lots, which have been heretofore reserved in the townships already sold.

§ 7. Be it further enacted, that the highest bidder for any tract of land, sold by virtue of this act, shall deposit, at the time of sale, one twentieth part of the amount of the purchase money; to be forfeited, if a moiety of the sum bid, including the said twentieth part, is not paid within thirty days, to the treasurer of the United States, or to such person as shall be appointed by the president of the United States, to attend the places of sale for that purpose; and upon the payment of a moiety of the purchase money, within thirty days, the purchaser shall have one year's credit for the residue; and shall receive from the secretary of the treasury, or the governor of the Western Territory, (as the case may be) a certificate describing the land sold, the sum paid on account, the balance remaining due, the time when such balance becomes payable; and that the whole land sold will be forfeited, if the said balance is not then paid; but, that if it shall be duly discharged, the purchaser, or his assignee, or other legal representative, shall be entitled to a patent for the said lands; and on payment of the said balance to the treasurer, within the specified time, and producing to the secretary of state a receipt for the same, upon the aforesaid certificate, the president of the United States is hereby authorized to grant a patent for the lands to the said purchaser, his heirs or assigns: and all patents shall be countersigned by the secretary of state, and recorded in his office. But if these should be failed in any payment, the sale shall be void, all money theretofore paid on account of the purchase shall be forfeited to the United States, and the lands thus sold, shall be again disposed of, in the same manner as if a sale had never been made: provided nevertheless, that should any purchaser make payment of

the whole purchase money, at the time when the payment of the first moiety is directed to be made, he shall be entitled to a deduction of ten per centum on the part, for which, a credit is hereby directed to be given; and his patent shall be immediately issued.

§ 8. Be it further enacted, that the secretary of the treasury, and the governor of the Territory North-west of the Ohio, shall respectively, cause books to be kept, in which shall be regularly entered, an account of the dates of all the sales made, the situation and numbers of the lots sold, the price at which each was struck off, the money deposited at the time of sale, and the dates of the certificates granted to the different purchasers. The governor or secretary of the said territory shall, at every suspension or adjournment, for more than three days, of the sales under their direction, transmit to the secretary of the treasury, a copy of the said books, certified to have been duly examined and compared with the original. And all tracts sold under this act shall be noted upon the general plat, after the certificate has been granted to the purchaser.

§ 9. And be it further enacted, that all navigable rivers, within the territory to be disposed of by virtue of this act, shall be deemed to be, and remain public highways; and that in all cases, where the opposite banks of any stream, not navigable, shall belong to different persons, the stream and the bed thereof shall become common to both.

§ 10. And be it further enacted, that the surveyor general, shall receive, for his compensation, two thousand dollars per annum; and that the president of the United States may fix the compensation of the assistant surveyors, chain-carriers and examiners: provided, that the whole expense of surveying and marking the lines, shall not exceed three dollars per mile, for every mile that shall be actually run or surveyed.

§ 11. And be it further enacted, that the following fees shall be paid for the services to be done under this act, to the treasurer of the United States, or to the receiver in Western Territory, as the case may be; for each certificate for a tract containing a quarter of township, twenty dollars; for a certificate for a tract containing six hundred and forty acres, six dollars; and for each patent for a quarter of a township, twenty dollars; for a section of six hundred and forty acres, six dollars; and the said fees shall be accounted for by the receivers, respectively.

§ 12. And be it further enacted, that the surveyor general, assistant surveyors, and chain-carriers shall, before they enter on the several duties to be performed under this act, severally take an oath or affirmation, faithfully to perform the same; and the person, to be appointed to receive the money on sales in the Western Territory, before he shall receive any money under this act, shall give bond with sufficient security, for the faithful discharge of his trust: that, for receiving, safe keeping and conveying to the treasury the money he may receive, he shall be entitled to a compensation to be hereafter fixed.

JONATHAN DAYTON,
Speaker of the House
of Representatives.
SAMUEL LIVERMORE,
President of the Senate,
pro tempore.

Approved—May 13, 1796,
GO. WASHINGTON,
President of the United States.

MR. BRADFORD,

An obscure citizen, requests you to publish a few thoughts on the present contest for the chief magistracy of this country.

THE opinion of Mr. Breckinridge that was intimated in your Gazette of the 26th of May, is only an answer to one question, and does not extend to all the considerations which seem essential to a full investigation of the case. As people of common understandings like me, will not feel themselves interested in the contest, so far as it may depend on refined speculations, I shall presume that Mr. Breckinridge's opinion is well founded; but as he admits, that the regulation of continuing to ballot until some one candidate shall attain a majority, has been generally adopted by legislatures in making elections confided to them, without disputing their authority to do so, we should have been more fully gratified if he had pointed out the impropriety of our board of electors having adopted the same regulation. Indeed, he admits, that the method pursued by the board of electors on the late occasion, "would open a door to practices by which the best men in the commonwealth might easily be excluded;" but not having stated how this iniquity could be accomplished, my greater deference for the legislatures to which he alludes, as well as for the framers of our federal constitution, who have embraced a similar regulation, obliges me to doubt the assertion; more especially, as the great object of elections is to ascertain the choice of a majority of those who have the right of suffrage; and the only reason why a less number than a majority is permitted to decide a popular election, is the impracticability, in that instance of carrying into execution a more perfect arrangement; so that I can see no error or danger in a select board of electors adopting rules for the attainment of that object, which could not be observed by more numerous assemblies; just as courts of justice adopt such rules of practice as are conducive to the ends of their institution, without intruding into the province of legislators.

But in deciding this contest, two previous questions will arise, of equal consequence to that which has been intimated to Mr. Breckinridge—1st. Who are authorized to decide the contest? 2dly. Has the gentleman who purports to bring it forward, a better right to the office, than the one who now exercises it?

To the first of these questions, probably it will be answered, that an act which was passed the second session of the first general assembly for this State, provides, that "A contested election of a governor, shall be heard and determined by a committee of the whole senate on the floor of the commonwealth." To this part of the act, it is objected, that the constitution not having provided for contesting the election of a governor, as it does for all other elections, makes it evident, that it was not the intention of its framers, that there should ever be such a contest; but that, as in the case of electing the president and vice president of the United States, so in this, the election should be solely confided to the wisdom and integrity of the electors; and further, that no subordinate power, has a right to do away the policy of the constitution; namely, to render the supreme executive as independent on the other departments of the government as possible; and to avoid the general feuds and factions, that the contentions of men whose extensive popularity would authorize them to aim at the chief magistracy of the country might probably occasion. But were it so, that the legislature, consistent with the constitution, could have appointed a tribunal for the trial of a contested election of a governor, it

Would certainly be incompatible with the constitution for that tribunal to be composed of any person or collection of persons who are at the same time members of the legislature; to judge and decide on the constitutionality or legality of an election, is a judicial function, which cannot be exercised by legislative men, except in the instances expressly permitted by the constitution, amongst which this case is not specified. On the whole, if, in either or both these points of view, this clause of the act is, unconstitutional, so far it is void, and cannot be acted on, without committing a much greater crime than that which is charged to the board of electors. Then, there remains no other tribunal before which this contest can be brought, but that of the public.

As to the second question—Taking it for granted, that in all cases, he who contests the possession of the present occupancy, must show a better title, or fail of success; I shall, in addition to what has been published in your paper of the 4th of June, under the signature of *A Constitutional*, on the subject of the members of our last legislature being, by the constitution, disqualified from filling any civil office which was created, or the emoluments of which was increased by them, I shall only add, what appears to me of still greater weight, that the policy on which that provision of the constitution is founded, must evidently be, to deprive the members of the legislature, of the prospect of enjoying the advantages of one capacity, for which they voted in another; and thereby more effectually to secure a faithful appropriation of the public monies. If this be the true intention of the provision as most certainly it is; then it cannot be denied, that the office of chief magistrate is included; and as that office is the highest object of ambition, so the temptation, if it had not been removed, would have been proportionably great, to have misapplied these monies in this way; therefore, a contest for office, by a person who himself is excluded from it by the constitution must be fruitless.

Although I accord in the doctrine advanced in the publication last alluded to, so far as it relates to the case under investigation, yet I would not be understood to subscribe to all it contains. To me, it appears, that the doctrine he advances concerning the persons who were members of the assembly last year, not being eligible this year as assemblymen or electors, is not contained in either the letter or spirit of his text. Neither members of the assembly nor electors, in common or political language, are titled officers. It may also be observed, that the compensation allowed them for their services is so small, that it can only be considered as a reimbursement of their expenses, and not as an emolument. But what makes it still more evident that their case is not in the contemplation of this provision, is another clause in the constitution, which provides that "no alteration in the compensation to the members of the general assembly, and the electors of the senate, shall be made to take effect during the existence of the legislature which shall make such alteration;" which must be altogether superfluous and unnecessary, if the provision in question also extends to them; but the true construction is, to give each of these clauses a distinct meaning if they will bear it. Besides, it would be absurd to suppose that the framers of the constitution intended to exclude all the members of the legislature, who should judge it proper to alter this compensation, from being members of the next legislature; it would in fact operate as a provision, that there should never be any alteration. And it might be further observed, that even temporary appointments to executive or judiciary purposes,

cannot properly be filled officers; or if they could, when those who are appointed to them are only allowed daily compensation whilst in service, which amounts to no more than a reimbursement of their actual expenditures therein, they are not included in the spirit of the provisions; and it is a rule of construction, that a case within the letter of a law, if it does not also come within the meaning, shall not be subjected to the law.

From the brevity which I have used, it will appear that I had no intention of exhauling the subject; but barely to suggest what may be sufficient to shew, that the contest with which we have been threatened, must remain as it now stands, and that it can only operate as a lesson to teach greater circumspection in making future elections of chief magistrates. I flatter myself that I have also incidentally made it evident, that none of the other elections and appointments, which have been made since the last session of our General Assembly, are in the same respect unconstitutional.

Another Constitutional.

June 10, 1796.

ALBANY, May 16.
Yesterday passed through this city Major Lewis, Aid-de-Camp to Gen. Wayne, with dispatches from the president of the United States, for Lord Dorchester, gov. gen. of Canada.

MAY 20.
The troops at Well Point, are notified, in general orders, to hold themselves in readiness to march at a moment's warning. Private letters it is said, mention, that a battalion of troops are coming from the southward, that they will join those now at the point, and from thence that two battalions will be ordered to the Western frontiers.

NEW-YORK, May 26.
Mr. King has accepted of his appointment as minister to London; and has resigned his seat in the senate of the United States, in consequence thereof.

PHILADELPHIA, May 28.
The senate concurred in the nominations lately mentioned in our paper, viz.

RUFUS KING, to be Minister Plenipotentiary of the United States at the court of London; and

DAVID HUMPHREYS, to be Minister Plenipotentiary of the United States at the court of Spain.

We are informed that the senate have concurred in the nomination by the president of the United States, of MATTHEW CLARK, SON, of Pennsylvania, to be a Commissioner on the part of the United States, under the article of the Spanish treaty relative to spoliations.

A committee of the senate, have reported against receiving the new State of Tennessee into the Union, at the present time, alleging that agreeably to the deed of cession from the state of Virginia, Congress must first lay off the territory in one or more states, and that the enumeration must then be taken under the authority of congress. They recommend, that a bill be brought in, laying out the whole of the said territory into one state, and providing for an enumeration thereof. This would delay their admission; the house of representatives have decided in favor of their admission now.

We understand that ANDREW ELLICOTT is appointed Commissioner and Surveyor on the part of the United States, for ascertaining the boundary line pursuant to the third article of the Spanish treaty. Capt. Willis arrived yesterday from Amsterdams, informs, that when he left the Texel, April 3, there lay there 12 Dutch two deckers and one frigate.

A letter by this arrival, dated Amsterdams, March 22d 1796. LA FAYETTE is free, and already on his passage to America.

PITTSBURGH, June 4.
Extract of a letter from a gentleman in Philadelphia, dated May 28.

"Yesterday the bill passed the house, fixing the military establishment, by which general Wayne and the general staff, are continued in service until the 31st of March next, after which time, the troops are to be commanded by a brigadier, for the term of five years. Parties were so high in the senate and the house that both the generals had like to have been thrown out, and the troops commanded by a lieutenant colonel—However, by a conference of both houses, they agreed to continue general Wayne as above mentioned, with the command of a regiment of artillery, two troops of horse, four regiments of infantry, to make the number of 5000 men."

Lexington, June 18.

A continuation of the bill of 24th passed at the first session of the fourth Congress—Received since our last.

An act in addition to an act, entitled "an act supplementary to the act, intitled 'an act to provide more effectually for the collection of the duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels."

An act for the relief and protection of American Seamen.

An act respecting the mint.

An act laying duties on carriages for the conveyance of persons, and repealing the former act for that purpose.

An act altering the compensation of the accountant of the war department.

His Excellency Oliver Wolcott is elected governor of the state of Connecticut, and

Hon. Jonathan Trumbull Lieutenant governor.

Governor Fenner, of Rhode Island, is re-elected to the office.

FOR SALE.

Several Tracts of Land.
LIVING on Casey's creek, a branch of Green river; containing in the whole, two thousand, six hundred and fifteen acres. It begins at the mouth and runs up the creek all for nearly all bottom land, and of a good quality. Good herds, negroes, or land lying in the settlement will be received in payment—Deeds of general warranty will be made, and good security given by the subscriber.

SILAS PAYNE.
Lexington, June 15, 1796.

MILITARY LAND.

FOR SALE.

AN old Military Survey, made for James A. Southall; containing upwards of 3400 acres, on Marble creek; on the same is a good mill seat, and about forty or fifty acres of cleared land. Mr. William Stafford lives near the land, and will show it to any person on application. Its situation, ten miles about a fourth east course, from Lexington. It will be sold low for Cash, or Military lands below Green river, or on the North west of the Ohio, will be received in exchange.

JOHN FOWLER.
June 17, 1796.

200 acres of Land

FOR Sale, as good as in the State, on the main road leading from Lexington to major Henry's mill, six miles from Lexington and six miles from Gannett's; 90 acres in good land, 85 cleared, 5 acres of good meadow as in the State. The title indisputable.—For terms apply to Mr. John Gannett, who is fully authorized to make sale by me.

R. Benham.
May 27, 1796.

PUBLIC NOTICE.—Agreeably to an act of assembly entitled "An act to ascertain and establish the boundaries of land, and for other purposes," I shall attend with the commissioners appointed by the county court of Shelby, on the third Wednesday in July next, being the 23rd day of the month, on an entry made in the name of John Kitzmiller, of one thousand acres, situate in township No. 7992 on the waters of Brashear's creek; to begin at three bounded Ash trees, to run north and west for quantity—in order to perpetuate testimony for the establishment of certain lands in said entry, and do such other things as may be necessary and according to law.

DAVID SHRYVER.
Shelbyville, June 26, 1796.

ON Wednesday the 22d instant will be sold at my house, to the highest bidder, the

PERSONAL ESTATE

Of Major ELIJAH KIRKLEY deceased, consisting of Horses, Cattle, Sheep, Hogs, Plantation Tools, Household Furniture, &c. &c. Ready Cash will be expected for all sums under twenty billings; the future credit will be given for all sums from twenty billings to five pounds, and twelve months credit for all sums above five pounds. Bond with good security will be required.

All persons having demands against said estate, are desired to make application for payment; and those indebted to make payment to

FRANCES KIRKLEY, Adm.
June 14, 1796.

LOOK HERE.

ALL those indebted to the subscriber, either by bond, note, or book account, are requested to come forward and pay their arrears before the first day of August next, as he expects to move out of Lexington about that time. Those who neglect this notice, cannot look for any further indulgence, as he expects none from those to whom he is indebted.

CHAS. SUMPTION.

Lexington, June 15, 1796.

NOTICE.

Commissioners appointed by the court of Shelby county, will meet on the 27th day of July next, on an entry of 520 acres of land, made in the name of Jonas Drennon's lick; also on an entry of 1020 acres, made in the name of Charles Seaman, on the aforesaid branch of Drennon's lick; both of which entries were made in May, 1795, and call for cabins and by Jacob Cleveland. All persons concerned, will take notice, that the depositions of certain witnesses will be taken, at the time and places aforesaid, in order to perpetuate their testimony respecting said entries, and do such further act as shall be deemed necessary and agreeable to law.

JOSEPH DUPUY,

Agent for Jonas & Charles Seaman.
June 13, 1796.

NOTICE.—Commissioners appointed by the court of Shelby county, will meet on the 26th day of July next, on an entry of 1900 acres, made the 19th of July 1781, in the name of James Hannah, lying about six miles up Drennon's lick creek on the second fork of said creek, including a cabin built by Jacob N. Williams, then and there to perpetuate the testimony of certain witnesses, respecting said entry, and do such other act as shall be deemed necessary and agreeable to law.

SAMUEL SHANNON,

Agent for James Hannah.
June 15, 1796.

WHEREAS I have purchased two tracts of land from William Ballard, in Logan county, and have obtained legal patents for the same; and as I understand Ballard is somewhat diffident with the sale of said land, I give notice to said Ballard, or any other person, in his behalf, to apply to me in two months from this date, and repay the same sum that I paid, shall have good deeds made for the same made by me.

HUGH MCARY.

Taken up by the subscriber in Clarke county, a roan mare, about 12 years old, 13 hands high, branded on the left shoulder and buttock with (C)B and is with fail; appraised to 7l. 5s.

Thomas Williams.

May 23, 1796.

Taken up by the subscriber living in Woodford county, near the mouth of Clear creek, a sorrel horse, four years old, trots natural branded on the right shoulder and buttock with a writing I, and on the left shoulder with W. J. JOHN FINN.

June 4, 1796.

Taken up by the subscriber living on Pleasant run, in Washington county, a brown mare, nine years old, thirteen hands and a half high, trots and paces, branded on the near thigh, S. had on an old fell, tied with a leather strap; appraised to twelve pounds.

Jacob Myers.

May 6, 1796.

ALL persons are hereby cautioned against taking assignments on two bonds, one for 1000 acres of land on the Scioto, given by John Breckinridge to Nathaniel Maize, and assigned by him to me; the other from John Reed of Bourbon county to me, for the payment of one hundred and ten pounds. As the above mentioned bonds were left in the hands of Mr. Richard Eakin in Louisville, about the last day of May last, and are either lost or mislaid. Mr. John Breckinridge and Mr. John Reed are hereby directed and required not to discharge either of said bonds to any other person than myself.

ABRAHAM STEPHENS.

June 17, 1796.

LANDS TO BE LEASED

IN the fortified part of Kentucky, on high and level ground near the Ohio, of the first quality, admirably watered, and affording the most luxurious range for cattle, both in summer and winter.

Seven years rent free will be given for clearing; or a long lease, at a very easy rent, payable in produce. For further particulars apply to

H. TOULMIN,

At the Seminary in Lexington.

June 10, 1796.

FRESH GOODS.

THE SUBSCRIBER HAS JUST OPENED,

A GENERAL ASSORTMENT OF MERCHANDIZE,

Well adapted to the present and approaching season, which he will sell either by wholesale or retail, on very moderate terms for Cash, Beef-Cattle, Bacon, Country Lard and Whiskey.

JAMES MORRISON.

Lexington, May 25, 1796.

Taken up by the subscriber, living in Clarke county, on the river between the Bay More, for or for years old, fair and well branded on the near shoulder with S. R. about fourteen hands high, appraised to 15l. Also, a black Mare, four years old, branded on the near shoulder S. R. about fourteen hands high, appraised to 15l.

A. GHELLE CRAFFORD.

May 4, 1796.

MADISON JR.

April Court of Quarter Sessions, 1796.

Archibald Wadd, Complainant.

JOHN PATRICK and Elizabeth his wife, Gileb

Garrett, Thomas Newell and Mildred

his wife, Samuel Henderson and Elizabeth

his wife, John Holder and Frances

his wife, Edward Dickinson and Lydia

his wife, John Gilman, James Frenchant

Kezia his wife, Richard Gilman, John

Gillaway and Ann Gillaway, children and

deceases of Richard Gilman, deceased.

IN CHANCERY.

IT appearing by affidavits read to the Court

that the defendants John Patrick and Elizabeth

his wife, Gileb Gilman, Thomas Newell

and Mildred his wife, Samuel Henderson and

Elizabeth his wife, John Gilman and Ann

Gillaway, are not residents of this State, and

they having failed to enter their appearance, be

fore, agreeable to a rule of this Court, it is

ordered that the said defendants enter their

appearance herein on the first Tuesday in February

next, and answer the complainant's bill; and that

in default of their doing so, the said bill be

taken as confessed, and the said bill be

judged in the Kentucky Gazette, and published

in the Kentucky Gazette, and published

in the Kentucky Gazette, and published

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FRESH GOODS

Alex. & James Parker,

HAVE just imported and now opening at their Store in Lexington, opposite the Court House, a large and handsome assortment of all kinds of CLOTHING, well suited to the present season; which they will sell on very moderate terms for CASH and HIDES.

May 27, 1796.

TROTTER & SCOTT,

HAVING sold off their Store, earnestly request all those indebted to them, by bond, note or open account, to come forward and make immediate payment to themselves or Mr. WILLIAM SCOTT, who is authorized to receive, and give discharges. Those who neglect this notice, cannot expect any longer indulgence. They will attend for the above purpose at the house they lately occupied on Main street.

Lexington, April 2, 1796.

FOUR DOLLARS REWARD

STAYED away out of the pasture of Captain H. about near Frankfort a handsome dark bay horse with a lip on the left side of his nose, natural troiter about fourteen hands and a tall size, low in flesh, whoever will bring back the said horse shall have the above reward and all reasonable charges paid thereon.

ELISHA WINTERS.

April 20.

ALL PERSONS

INDEBTED to the late partnership of LAWRENCE & BRYSON, are requested to pay their accounts or notes to THOMAS BRYSON or JOHN A. SMITH, who only can give discharges. One month's indulgence will be given and no longer.

Lexington, 4th May, 1796.

TAKE NOTICE

ON Friday the fifth day of August next I shall attend at the mouth of Lexington river, and there to perpetuate testimony to evidence a claim made in the name of Reuben Garrett for 1000 acres, and to prove that he is the lawful owner of the same, and that he is entitled to the same by virtue of an order from the said court of Scott.

JOHN GARRETT,

Agent for Reuben Garrett.

DELIVERED to my charge on Thursday last, a dark bay horse nine or ten years old, branded on the near shoulder A. H. and is somewhat diffident with the sale of said horse, I give notice to said horse, or any other person, in his behalf, to apply to me in two months from this date, and repay the same sum that I paid, shall have good deeds made for the same made by me.

JOHN T. HELPS, gentl.

Millard, Madison county.

STATE OF KENTUCKY.

Fayette County, April Quarter

Session Court, 1796.

JOHN ALLISON, Complainant,

Against

JAMES PARKER & 3 Defendants.

WALTER TAYLOR, & 3 Defendants.

IN CHANCERY.

The defendant James Parkery,

not having entered his appearance agreeable to an act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this State, and it is ordered that the said defendant

appear here on the second Tuesday in September next, and answer the complainant's bill; and that in default of his doing so, the said bill be taken as confessed, and the said bill be

judged in the Kentucky Gazette, and published in the Kentucky Gazette, and published

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FOR SALE,

The PLANTATION

WHEREON I now live, together with 180 2-4 acres of LAND, well improved, on which is a good Grind and Saw Mill. For terms, apply to

MARSTON CLAY.

Fayette county—April Court of

Quarter Sessions, 1796.

Walter Carr, complainant,

Against

William Pawling, John

South, Henry Garrett,

Thomas Johnston & Da

Defendants.

IN CHANCERY.

THE defendants Henry Garrett,

Thomas Johnston and Daniel

Callahan, not having entered their

appearance agreeable to an act of

Assembly and the rules of this court,

and it appearing to the satisfaction

of the court, that they are no in-

habitants of this State, therefore,

on the motion of the complainant,

it is ordered that they do appear

here on the second Tuesday in Sep-

tember next, and answer the bill of

the complainant;—that a copy of

this order be inserted in the Ken-

tucky Gazette for two months suc-

cessively; published at the door of

the Presbyterian meeting-house in

the town of Lexington, some Sun-

day immediately after divine ser-

vice, and at the front door of the

court-house of this county.

(A copy) Teils.

LEVI TODD, C.C.

At a Court of Quarter Sessions held

for the County of Hardin, the 23d

day of February, 1796.

James Nourie, Complainant,

Against

George James, John A.

derford, James Brown,

Philip Phillips & Ebene-

zer Osburn,

Defendants.

IN CHANCERY.

THE Defendant George James, not having

entered his appearance agreeable to an act

of assembly and the rules of this court, and it

appearing to the satisfaction of the court, that

the said defendant is not an inhabitant of this

commonwealth; on the motion of the com-

plainant by his counsel, it is ordered that the

said defendant do appear here on the fourth

Tuesday in September next, and answer the

complainant's bill; and that a copy of this or-

der be forthwith inserted in the Kentucky

Gazette for two months successively, and pub-

lished at the door of the Presbyterian meet-

ing-house in the town of Lexington, some

Sunday after Divine service, immediately

after Divine service, and at the front door of

the court-house of this county.

(A copy) Teils.

D. MAY C. H. C.

Taken up by the subscriber, in

Fayette county, 7 miles from Lexington,

where the road from Lexington to Bourbon

intersects the road leading from Lexington

to Iron works, a black mare, seven or eight

years old, no brand perceivable, about four

feet ten inches high, natural trotter, a full

saddle point on the near side, and near hind

dark white, large blaze about a six-fifteen

bell on, furnished with an old patched leather

collar part of a horse-blue clipper; apprai-

sed to 18l.

ON MAIN STREET.